

EI-937
CGState of Washington
DEPARTMENT OF FISH AND WILDLIFE

Region 4 Office: 16018 Mill Creek Boulevard - Mill Creek, Washington 98012 - (425) 775-1311

FAX TRANSMITTAL

DATE: 7/29/04

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Recipient's Fax: 360 568 1375

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NUMBER OF FAXED PAGES INCLUDING THIS COVER SHEET: 3*****
NOTES:



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July 29, 2004

Surface Transportation Board
Section on Environmental Analysis
1925 K Street, NW
Washington, D.C. 20423

**SUBJECT: BNSF — Exemption — MP 38.01 to MP 39.00 in Snohomish, WA, AB 6
(Sub-no. 422X)**

To Whom It May Concern:

I apologize for submitting this information after the published closure date for public comments. I was asked to provide this information by staff of the City of Snohomish. These comments are in reference to missing information in the Environmental Report segment of the BNSF Notice of Exemption (section (8), pages 6-7) submitted to the STB on June 15, 2004.

Appendix Exhibit E of the Notice is a database query output from Lori Guggenmos of my agency's headquarters office. It lists state-classified species of concern or state-listed species at or within one mile of the BNSF bridge across the Snohomish River. The list includes a variety of birds and fishes. Among these are two federally-listed fish species, Puget Sound fall Chinook salmon, and bull trout. Adult or juvenile life stages of these fish species are found in the river in the project or rail line vicinity essentially year-round. The computer database output lists these species, but they are not mentioned in the text body of the report.

It is extremely important to have crystal clarity on transfer of ownership for the bridge across the river. A number of agencies are at this very moment struggling with how to deal with a failing, collapsing abandoned railroad bridge only a few miles upstream on this river system. The largest problem with that structure is who owns it, and who is liable for the cost of removing it. Whoever assumes the ownership of the bridge in this abandonment, it will be their responsibility to get all required permits for bridge maintenance, repairs, or its removal, including a Hydraulic Project Approval from this agency for any work over or in the water.

STB Environmental Analysis

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Thank you for the opportunity to provide this information. If you have any questions, please contact me at (425) 379-2309.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Pfeifer". The signature is fluid and cursive, with the first name "Bob" being more prominent and the last name "Pfeifer" written in a continuous script.

Bob Pfeifer

Area Habitat Biologist

cc: Ann Caley - City of Snohomish
Charles Montange, Counsel for City of Snohomish
John A. Sims, BNSF Law
Darlene Evans, STB
WRIA 07.0012 File, Olympia